THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.27678 OF 2007

Date: 26.12.2007.

Between:
Kuruwa Narsimulu, S/o.Chinnaiah and another.

…Petitioners.

and

The Tahasildar, Bhoothpur Mandal,
Bhoothpur, Mahabubnagar District
and another.

…Respondents

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ORDER:

It is the case of the petitioners that their father was assigned an extent of Acs.3.12 guntas of land in Survey No.130 of Pothulamadugu Village, Bhoothpur Mandal, Krishna District in the year 1956. The father of the petitioners had three sons i.e. both the petitioners herein and one more and each of them, being the sons of the original assignee, got Acs.1.04 guntas in the said assigned land on succession/inheritance. While so, the Tahasildar, Bhoothpur Mandal issued impugned notice No.A/5128/2007, dated 10.12.2007, stating that the said assigned land of an extent of Ac.1.04 guntas is required for the public purpose and the petitioners will be paid *ex gratia* as per G.O.Ms.No.1307, dated 23.12.1993 and accordingly, called upon to file their objections in the matter within 15 days from the date of receipt of the said notice.

It is stated that the petitioners have not filed any objections on any account to the said notice. As the impugned notice is only a show cause notice calling upon objections, without filing any objections, it is not just and proper on the part of the petitioners to contend that the objections are called for only for the purpose of payment of

ex gratia, but not for any other purpose.

Having regard to the facts and circumstances, the petitioners are permitted to file objections to the said notice, dated 10.12.2007, within a period of one week from today and if any objections are filed within one week from today, respondent No.1 shall consider and dispose of the said objections by passing a reasoned order and till then the petitioners shall not be dispossessed.

Accordingly, the Writ Petition is disposed of.

No order as to costs.

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V.ESWARAIAH, J.

Date:2612.2007.
Note: Issue C.C.
in two days.
(B/o)
GS